



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,203	10/02/2003	Andrew Mark Gutman	CISCO-8363	4568

7590 07/20/2004

David B Ritchie  
Thelen Reid & Priest LLP  
PO Box 640640  
San Jose, CA 95164-0640

EXAMINER

HARRELL, ROBERT B

ART UNIT PAPER NUMBER

2142

DATE MAILED: 07/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Best Available Copy



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

20040715

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The preliminary amendment filed October 2, 2003 is not in proper form because it does not comply with 37 C.F.R. 1.121(h), 1.173(b(2)), and 1.173(d). This means all newly added claims must be underlined in their entirety and newly added matter to each original patent claim also underlined with omitted matter in brackets.

The "REISSUE APPLICATION DECLARATION BY THE INVENTOR" filed February 9, 2004 does not provide the explanation for the preliminary amendment changes filed October 2, 2003 as required by 37 C.F.R. 1.173(c) which requires an explanation of the support in the disclosure of the patent for the changes made to the claims in this reissue application on separate pages. Whenever there is an amendment to the claims pursuant to 37 C.F.R. 1.173(b), there must also be supplied, on pages separate from the pages containing the changes, an explanation of the support in the disclosure of the patent for the changes made to the claims. Specifically there is no explanation of each new claimed limitation (in amended original and new patent claims) to text locations and figure element(s) of the original patent. The following example explanation is lacking: Per claim 31, the original patent specification shows a method (figure A (elements B-E), col. F (lines G-J)) for managing network access to a data communications network (figure K (element L)), said method comprising: maintaining (col. M (lines N-P)) a central database (figure Q (element R)) coupled to the data communications network (figure S (element T)). A blanket single block reference to "See, e.g., FIGS. 6 - 13" repeatedly implemented for all new limitations is inadequate and equivalent to --See Whole Document-- as figures 6-13 are all the non-prior art figures which in effect makes it the -- Whole Document --.

The "REISSUE APPLICATION DECLARATION BY THE INVENTOR" (page 3 (line 10 "cancelled original claim 5")), filed February 9, 2004, conflicts with earlier pages "STATEMENT OF STATUS AND SUPPORT FOR ALL CHANGES TO THE CLAIMS UNDER 37 CFR SEC. 1.173(C)" (page 1 "Claim 5: Old - pending - not amended"), filed October 2, 2003. Has original patent claim 5 been canceled? The term "original" refers to an original patent claim, not an original application claim as filed, during reissue. Same holds for other claims (i.e., claim 21). Hence there is confusion as to which claims are pending in this reissue from the original patent claims as required by 37 C.F.R. 1.173(c).

The person signing the Consent to Reissue does not have authority under 37 C.F.R. 1.172(a) (MPEP 1410.01) and any other document(s) requiring assignee signature(s) per 37 C.F.R. 3.73(b).

Thus, it is required a new preliminary amendment be filed in compliance with 37 C.F.R. 1.121(h), 37 C.F.R. 1.173(b), and 37 C.F.R. 1.173(d) and pages required by 37 C.F.R. 1.173(c). However, Certificate of Correction matter should not be underlined or bracketed as such is already apart of the original patent (for example, claim 19 "AAA" was in the Certificate of Correction"). Also, properly signed documents per 37 C.F.R. 1.172(a) and 37 C.F.R. 3.73(b).

A shortened statutory period for reply to this letter is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

*Robert B. Harrell*

ROBERT B. HARRELL  
PRIMARY EXAMINER

Art Unit 2142